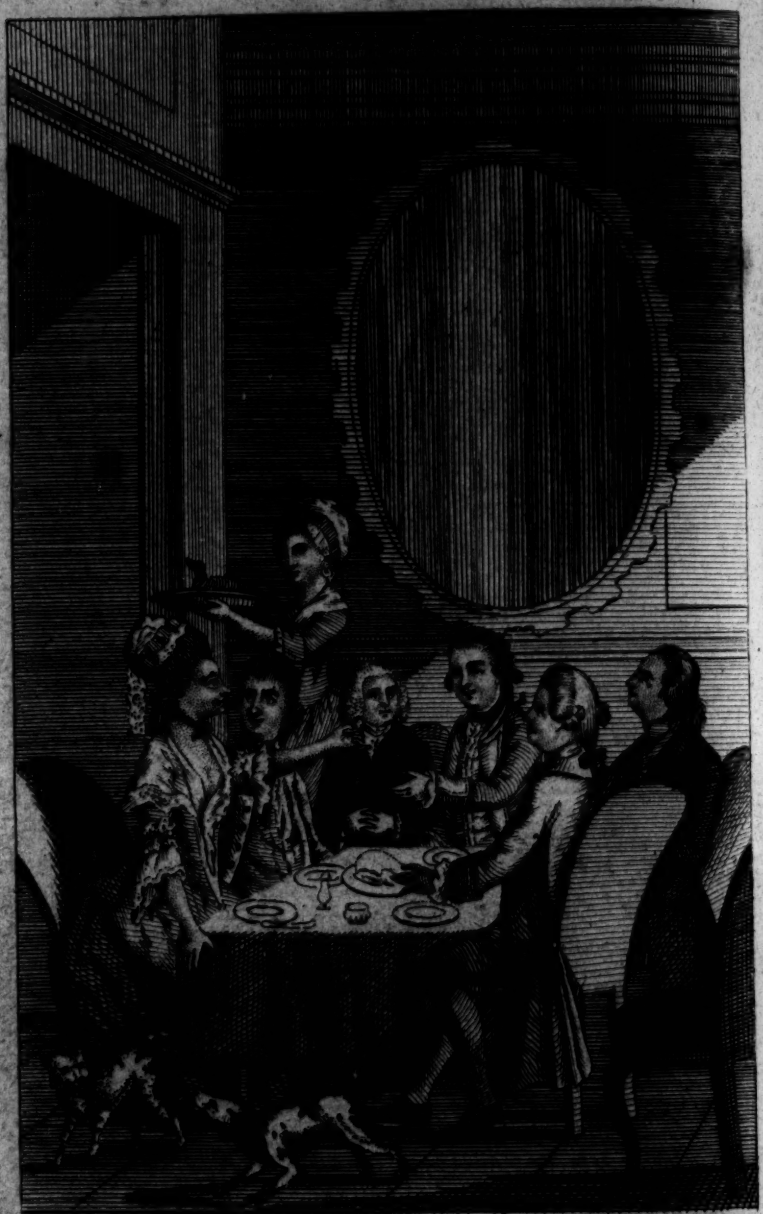

Lady Maria Bayntun, returning her Wedding Ring to her Husband.

K. Bayntun. 518. c. 15
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THE

TRIAL

OF THE

RIGHT HONOURABLE

Lady Maria Bayntun,

DAUGHTER OF THE

Right Hon. George William, Earl of Coventry,

AND WIFE OF

ANDREW BAYNTUN, Esq;

SON OF

Sir EDWARD BAYNTUN, Baronet,

IN THE

Arches Court at Doctors Commons,

For Committing the Crime of

ADULTERY,

And Violating her Conjugal Vow.

TO WHICH IS ADDED,

A very pathetic and affecting LETTER, from Lady MARIA to her Husband, after the Discovery of her illicit Amours.

LONDON:

Printed for the Editor, and sold by G. LISTER, No. 46, Old Bailey, and all other Booksellers.

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W. Musgrave.

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THE TRIAL OF THE Right Hon. Lady Maria Bayntun.

LIBEL.

IN the name of God, Amen; before you the Right Worſhipful Peter Calvert, doctor of laws, official principal of the Arches Court of Canterbury, lawfully conſtituted, your Surrogate, or other Judge competent in this behalf, the Proctor of Andrew Bayntun, Eſquire, of Bromham, in the county of Wilts, dioceſe of Salisbury, and province of Canterbury, againſt the Right Honourable Lady Maria Bayn-

tun, his wife; and againſt any other perſon or perſons, lawfully intervening or appearing for her in judgment before you, by way of complaint, and hereby complaining unto you in this behalf, doth ſay, alledge, and in law articulately propound as follows: to wit

I. That the ſaid Andrew Bayntun, Eſq; was and is the ſon and heir of Sir Edward Bayntun, of Spye-park, in the county of Wilts, Baronet; and the ſaid right honourable lady Maria Bayntun, his wife, was and is the daughter of the right honourable George William, earl of Coventry; and the party proponent doth alledge and propound as before.

II. That ſome time in the years 1776 and 1777, they, the ſaid Andrew Bayntun and lady Maria Bayntun, then lady Maria Coventry, became acquainted with each other, and he being then a batchelor of the age of twenty-one years and upwards, and free from all matrimonial contracts and engagements, did make his courtſhip and addreſſes in the way of marriage, to her the ſaid lady Maria Coventry, who was then a ſpinſter, of the age of twenty-one years and upwards, and was then alſo free from all matrimonial contracts and engagements; and ſhe did receive ſuch the courtſhip and addreſſes of him the

ſaid Andrew Bayntun, and ſuch courtſhip was carried on and continued, with the privity and knowledge of the ſaid Sir Edward Bayntun, and the earl of Coventry their fathers; and they the ſaid Andrew Bayntun, and lady Maria Coventry, did afterwards mutually contract themſelves together, and did agree to be married together, with the approbation of their ſaid reſpective fathers, who conſented to ſuch intended marriage: and this was and is true, public, and notorious; and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge, and propound as before.

III. That, in purſuance of the agreement mentioned in the preceding article, they, the ſaid Andrew Bayntun and lady Maria Coventry were, on the twenty-eighth day of June, in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, lawfully joined together in holy matrimony, according to the rites and ceremonies of the church of England, as by law eſtabliſhed, at the houſe of the ſaid Earl of Coventry, in Piccadilly, ſituate in the pariſh of Saint George, Hanover Square, and county of Middleſex, by the Rev. St. Andrew St. John, clerk, a prieſt or miniſter in holy orders of the church

of

of England, by virtue of a ſpecial licence granted for that purpoſe, by his grace the archbiſhop of Canterbury, in the preſence of the ſaid Sir Edward Bayntun, lord Coventry, and ſeveral others of the reſpective families and acquaintance; and they, the ſaid Andrew Bayntun and lady Maria Coventry, were then and there pronounced for lawful huſband and wife; and the party proponent doth alledge and propound of any other time, and as before.

IV. That, in ſupply of proof of the premiſſes in the preceding article mentioned, and to all other intents and purpoſes in law whatſoever, the party proponent doth exhibit, and hereunto annex, and prays to be here read and inſerted, and taken as part and parcel hereof, an extract marked with the letter A, and did and doth alledge the ſame to be and contain a true copy of the original entry of the aforeſaid marriage, in the regiſter book of marriages, kept for the pariſh of St. George, Hanover ſquare, aforeſaid; and that the ſame hath been faithfully extracted therefrom, and carefully collated with the ſaid original, and agrees therewith. And the party proponent doth alſo alledge, that Andrew Bayntun, Eſq; and the right hon. lady Maria Coventry, therein mentioned as married, and

Andrew

Andrew Bayntun, the party agent in this cauſe, and lady Maria Bayntun, his wife, the party accuſed in this cauſe, were, and are the ſame perſons, and not divers, or different: and this was, and is true, and ſo much the ſaid lady Maria Bayntun knows, or in her conſcience believes to be true; and the party proponent doth alledge and propound as before.

V. That from, and immediately after the ſolemnization of the ſaid marriage, they, the ſaid Andrew Bayntun and lady Maria Bayntun, lived and cohabited together at bed and board, as lawful huſband and wife, and conſummated their ſaid marriage by carnal copulation and procreation of children, and ſo lived and cohabited together at
and afterwards, and, till lately, at Bromham, in the county of Wilts; and they, the ſaid Andrew Bayntun and lady Maria Bayntun, conſtantly owned and acknowledged each other as lawful huſband and wife, were conſtantly viſited as ſuch by their reſpective relations, friends, and acquaintance, and generally ſo looked on, eſteemed, and taken to be; and they the ſaid Andrew Bayntun and lady Maria Bayntun have had two daughters born of ſuch marriage (the firſt of whom was chriſtened by the name of Mary, and died

in

in a few days after her birth; and the ſecond of whom, was chriſtened by the name of Maria, and is now living) and this was and is true, public, and notorious; and ſo much the ſaid lady Maria Bayntun knows, or in her conſcience believes to be true; and the party proponent doth alledge and propound as before.

VI. That the ſaid Andrew Bayntun party in this cauſe, was and is a perſon of ſober, chaſte, and virtuous life, and converſation, and always treated and behaved himſelf to the ſaid lady Maria Bayntun his wife, in the moſt indulgent manner, and was and is one who would not be guilty of a breach of his marriage vow; and for and as ſuch, a ſober, chaſte, and virtuous perſon, and one who would not be guilty of a breach of his marriage vow, he the ſaid Andrew Bayntun was and is commonly accounted, reputed, and taken to be by and amongſt his family, neighbours, friends, and acquaintance: and this was and is true, public, and notorious, and ſo much the ſaid lady Maria Bayntun, party in this cauſe, knows, or in her conſcience believes to be true; and the party proponent doth alledge and propound as before.

VII. That notwithſtanding the premiſſes mentioned, and ſet forth in the pre-

preceding article, ſhe the ſaid lady Maria Bayntun being unmindful of her conjugal vow, and the honour and duty ſhe owed her huſband, did contract and carry on an adulterous intercourſe and connection, with John Allen Cooper, Eſq; and they did commit adultery, as herein after particularly mentioned: and this was and is true, public, and notorious; and the party proponent doth alledge and propound as before.

VIII. That John Allen Cooper, Eſq; mentioned in the preceding article, was and is nephew to him the ſaid Andrew Bayntun, the party proponent, and was an officer in his majeſty's 20th regiment of foot; and in the beginning of the year 1776, went to America, and ſerved in the army, under the command of general Burgoyne, and returned to England in the ſpring of the year 1781; and ſoon after went to Bromham to pay the ſaid Andrew Baynton a viſit, the ſaid Andrew Bayntun and lady Maria Bayntun, his wife, then reſiding there; that the ſaid John Allen Cooper at firſt lodged at a houſe at Sandy Lane, in the neighbourhood of Bromham, but was very ſoon invited by him, the ſaid Andrew Bayntun, to, and did reſide with him, at his houſe at Bromham, and continued to reſide there for ſeveral months,

and until he quitted the ſame, at the time and on the occaſion hereafter mentioned: and this was, and is true, public, and notorious; and the party proponent doth alledge and propound of any other time, and as before.

IX. That at the time when the ſaid John Allen Cooper came to reſide at Bromham, he was not quite of age; that he had not been there long before lady Maria, whenever the ſaid Andrew Bayntun was from home, which ſometimes happened, took much notice of, and paid great attention to the ſaid John Allen Cooper, and behaved to him in ſuch a manner, as to appear very particular and extraordinary to the ſervants, who obſerved it; that ſhe hath ſeveral times been ſeen to be very free and familiar with him, which encouraged him to behave in the ſame manner to her; that when they have been alone in the parlour, ſhe hath been ſeen ſitting on his lap and kiſſing him; at other times he has been ſeen doing the ſame with her; that they were frequently obſerved coming out of the neceſſary in the garden at the ſame time, from different doors, there being two doors to it, though there was but one room or place; and on ſuch occaſions they walked different ways from each other,

that

that they might appear as if they had not been there at the ſame time; and this was and is true; and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

X. That, in the beginning of September laſt, the Rev. Mr. Henry Bayntun, brother of him the ſaid Andrew Bayntun, went to pay a viſit to his ſaid brother, at Bromham, and after having got off his horſe he went rather ſuddenly into the drawing room, when he ſaw lady Maria Bayntun ſitting on the ſaid John Allen Cooper's lap; that, on Mr. Bayntun's appearance, lady Maria immediately roſe in ſome confuſion, and inſtantly ſat down in a chair adjoining to Mr. Cooper's; that a few days afterwards, the ſaid Henry Bayntun went again to his ſaid brother's in the afternoon, and walking into the garden, came towards the parlour windows, the ſaſhes of which were up; that he there ſaw the ſaid John Allen Cooper, and lady Maria romping together and kiſſing each other, they being the only perſons in the room: and this was and is true; and ſo much the ſaid lady Maria Bayntun doth know in her conſcience to be true; and the party proponent doth alledge and propound as before.

XI. That on Tueſday the 4th of September, 1781, the ſaid Andrew Bayntun got up early in the morning in order to go out a hunting, and paſſing the room where the ſaid John Allen Cooper lay, which was one pair of ſtairs below his own, in his paſſing he knocked at the door of the chamber of the ſaid John Allen Cooper, and aſked if he would go out with him; but he anſwered that he ſhould not go, and thereupon he the ſaid Andrew Bayntun went without him; that the ſaid John Allen Cooper was afterwards obſerved at the window, watching his the ſaid Andrew Baynton's going out; and he and his attendants being gone out, the ſaid Mr. Cooper, a ſhort time afterwards, went out of his own room, up ſtairs to the room where lady Maria Bayntun lay, and was then in bed; and opening the door of ſuch room, went into the ſame, and ſhut the door after him, and then endeavoured to bolt the ſame, but could not; that he ſtaid in the ſaid room about twenty minutes, and then came out in order to return to his own room again; but obſerving the door of the chamber, where Martha Jones the nurſery maid lay, to be open, it being on the ſame floor as his own, and the next room to it, he, to avoid paſſing it, ſlipt into

into a room oppoſite lady Maria's, and ſtaid there ſome time; and the party proponent doth further alledge, that on Monday the 17th of the ſaid month of September, 1781, the ſaid Andrew Bayntun went out again early in the morning to hunt; that the ſaid John Allen Cooper did not go with him; but ſoon after the ſaid Andrew Bayntun was gone, he went from his own room to lady Maria's bedchamber, opened the door, went in, and ſtaid there ſome time, as he had done before on the fourth of the ſaid month; being ſeen and obſerved by the ſaid Martha Jones, the nurſery maid, who had watched him; that the ſaid Mr. Cooper, on his ſo going into lady Maria's bedchamber, at the two ſeveral times herein before-mentioned, went to bed to her; and they then and there had the carnal uſe of each others bodies, and committed the crime of adultery: and this was and is true; and the party proponent doth alledge and propound as before.

XII. That on or about the 12th day of November, 1781, he the ſaid Andrew Bayntun went to lord Weymouth's, at Longleat, on a viſit for a few days, and after he ſo went, and more particularly on the 14th of November, 1781, lady Maria Bayntun and Mrs. Johnſon, a relation of the

the ſaid John Allen Cooper, went to Bath, and took with them the two ſons of the Rev. Mr. Bayntun, the brother of the ſaid Andrew Bayntun, who were boys, about the age of years; that they put up at the White Lyon inn, at Bath, where they dined, ſupped, and lay that night; and, after dinner, a room with two beds was ordered, for Mrs. Johnſon and the two children, numbered 1, and a ſingle bedded room for lady Maria, numbered 5; Mrs. Johnſon and lady Maria then went and ſtayed out the afternoon, and returned in the evening to ſupper, but the children went to the play; and after it was over came to the inn to them, and they all retired to bed between eleven and twelve o'clock; Mrs. Johnſon and the children went into the room No. 1, where there were two beds, and lady Maria to No. 5, where there was only one bed; that before lady Mary had retired, ſhe aſked the chamber-maid for a piece of chalk, which was accordingly carried to, and left with her at her going to bed; that a little time after her going into the room, the No. 5 on the door of it was found to be obliterated with chalk, and the No. 2 put thereon inſtead of it; that the door of the ſaid lady Maria's room was obſerved not to be ſhut, but on the

jar,

jar; and ſhe was ſeen often to come out of it partly undreſſed, having on her bed gown and night cap; and ſhe once or twice came down to the room where ſhe had ſupped; and the bar-maid ſeeing her go in there, went and aſked if ſhe wanted the chambermaid, to which ſhe anſwered, ſhe wanted nothing, and bad the maid go down ſtairs; that the gates of the inn were ſhut about twelve o'clock, and very ſoon after ſome perſon was heard knocking very hard at them, in order to be let in; and the gates being opened, it was found to be a gentleman, who afterwards appeared to be the ſaid John Allen Cooper; that he immediately went into the houſe, and ran up ſtairs into the room where lady Maria and Mrs. Johnſon had ſupped, and was followed and aſked by the waiter who he wanted; that he anſwered he wanted the chamber-maid; who being called for, and coming to him, ſhe aſked him if he had ordered a bed; he ſaid no, but he wanted one; and then enquired of her what company had been in that room; the maid told him; and then ſhewed him a bed-room, No. 11, on the landing place, below lady Maria's room; where the maid left him; he ſaying he would put out the candle himſelf; that a ſhort time after this, lady Maria

was

was ſeen out of her bed chamber, on the landing place, looking over the rails; and Mr. Cooper was ſeen out of his room at the ſame time, looking up to, and ſeeming to be talking very low to her; that he was then ſeen to go into his own room, and afterwards to come out again, and ſhut the door to go up ſtairs to lady Maria's room, and was ſeen to go into it and ſhut the door; that the next morning it appeared that the bed in the room Mr. Cooper had been ſhewn into, had not been lain in that night; and on making lady Maria's bed, it was found to be very much tumbled, and there were the marks and impreſſions of two bodies having lain therein, and ſpots or ſtains appeared on the ſheets, ſuch as are uſually found when two perſons have lain together, and had c—l c————n; and the party proponent doth expreſsly alledge, that on the ſaid John Allen Cooper's ſo going into lady Maria's room, as is herein beforementioned, he went to bed to, and lay with her the greater part of the night; and they then had the carnal uſe and knowledge of each other's bodies, and committed the crime of adultery together; that lady Maria and Mrs. Johnſon returned to Bromham the next day; and the ſaid Andrew Bayntun came there from

Long-

Longleat, a day or two afterwards; and this was, and is true; and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XIII. That on Sunday, the 25th day of November, 1781, the ſaid Andrew Bayntun ſet off for London, to attend parliament, as member for Woobley, in the county of Hereford; that he had not then any houſe or lodging in town; and meaning to return to Bromham before Chriſtmas, he did not bring lady Maria, his wife, with him, but left her at Bromham, where the ſaid John Allen Cooper then was; that at the time of his ſetting out for London, he had not ſeen, or been made acquainted with any circumſtance in her conduct, to found a ſuſpicion of her infidelity to his bed; that the ſaid Andrew Bayntun remained in London till ſome ſhort time before the houſe of commons adjourned for the Chriſtmas holidays, and then returned to his houſe at Bromham again, where he found the ſaid lady Maria, his wife, and the ſaid John Allen Cooper; and the party proponent doth alledge and propound as before.

XIV. That, a very ſhort time after the ſaid Andrew Bayntun had ſet out for

London, as mentioned in the preceding article, the ſaid John Allen Cooper changed his bed-chamber, and removed to another a few ſtairs higher, and which was on the ſame landing place as lady Maria's bed; that on Monday, the 26th day of November laſt, after the family had retired to bed, and between twelve and one o'clock in the morning, James Thring who was up, and putting away ſome things, heard Mr. Cooper's chamber door open; whereupon the ſaid James Thring went and ſtood concealed behind a partition door leading to the nurſery, when he ſaw the ſaid Mr. Cooper come out of his room, having only his night-gown and night-cap on, and go towards the door of lady Maria's bed-chamber, and puſh hard againſt the ſaid partition door, but not perceiving the ſaid James Thring, he went down ſtairs into both rooms below; and in the mean time the ſaid James Thring, to avoid being ſeen by the ſaid Mr. Cooper, retired and went to bed; that this, with other circumſtances, having convinced the ſaid James Thring of Mr. Cooper's criminal intentions with regard to lady Maria, he determined to watch him at another opportunity; and accordingly, on Wedneſday the 28th of the ſaid month of November, about the mid-

middle of the night, he ſaw Mr. Cooper in his night-gown, and having his night cap on, go into lady Maria's bed-chamber; that Martha Jones the nurſery maid, who lay in the room below, and immediately under Mr. Cooper, had juſt before heard lady Maria unbolt her door, and immediately after heard Mr. Cooper open his door and go into lady Maria's room, and bolt the door after him; that about eight o'clock the next morning, the ſaid Martha Jones heard lady Maria's door open, and as ſhe was going out of her room to the landing-place, to ſee who came out, ſhe ſaw Mr. Cooper going from lady Maria's chamber to his own, in his night-gown and cap and ſlippers; that on Thurſday, the 29th of the ſaid month of November, the ſaid John Allen Cooper was again obſerved, about the ſame hour, to go, in his night-gown and cap on, into lady Maria's bed-chamber, where ſhe was then in bed, and afterwards to bolt the door: and this was, and is true; and the party proponent doth alledge and propound as before.

XV. That on Friday, the 30th of November laſt, after the family had retired to bed, and about midnight, the ſaid John Allen Cooper went from his own bed-chamber into lady Maria's bed-room,

where ſhe then was, and bolted the door after him; that he continued there till about eight o'clock the next morning, when Martha Jones, the nurſery maid, hearing ſome perſon unbolt the door of lady Maria's room, immediately went to obſerve who came out, and ſhe then ſaw the ſaid Mr. Cooper, in his night-gown, cap, and ſlippers, come out of the ſaid lady Maria's chamber, and go into his own room; that, on the ſaid morning, being Saturday, the 1ſt of December, about half an hour before Mr. Cooper came out of lady Maria's room, Ann Bailey, the houſe-maid, went to light Mr. Cooper's fire, but obſerved he was not in bed; which appeared to her as if Mr. Cooper had not lain therein on that night, but only as if he had ſat, or laid down on it, and riſen again ſoon; that afterwards, in the ſame morning, when ſhe went to make lady Maria's bed, it appeared to her as if two perſons had lain therein, the bed on both ſides, and the pillows, being very much tumbled; and there were plainly the marks and impreſſions of two bodies having lain therein; and there appeared therein ſtains or ſpots on the ſheets, ſuch as are uſually obſerved after two perſons have lain together, and had c—l c——n; and the party proponent doth

doth alledge, that the ſaid John Allen Cooper actually lay the greater part of that night with lady Maria Bayntun, in her bed; and they then and there had the c—l uſe and knowledge of each other's bodies, and committed the crime of adultery: and this was, and is true, and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XVI. That the ſaid James Thring, Martha Jones, and Edward Baldwyn the huntſman, communicated to each other what they had ſeen, in reſpect to the criminal intercourſe between Mr. Cooper, and lady Maria Bayntun; and thereupon, though they were all ſatisfied of lady Maria's guilt, yet it was agreed between them, to watch Mr. Cooper and her on ſome particular night, in order to make a more full and further diſcovery thereof, and to acquaint the ſaid Andrew Bayntun their maſter therewith, ſo ſoon as he ſhould arrive from London; he being expected in a few days; that accordingly, on Saturday the 8th of December laſt, after the family in general were gone to bed, and lady Maria and Mr. Cooper had retired to their reſpective chambers, the ſaid James Thring and Edward Baldwyn went

went into the nurſery room, where Martha Jones the nurſery maid then was, and which was very near Mr. Cooper's room, and put out the candle to prevent being obſerved; that in a ſhort time after, Mrs. Naſh, Lady Maria's maid, left her lady's room, and lady Maria was then heard to faſten the night-bolt of her chamber; but as ſoon as Mrs. Naſh was out of hearing, ſhe was heard to unbolt it again; and the ſaid Martha Jones then went out of the nurſery room, and ſaw the door of lady Maria's room open, and a jar, and the light of the candle in the room plainly appeared; ſhe then went back into the nurſery room again, and preſently the ſaid John Allen Cooper came out of his room, and went down to the landing-place, where the nurſery-room was, with his candle, and went into the room oppoſite to that, where he uſed to lie; and after looking into that room, returned to his own chamber again, and ſhut the door, which he ſoon opened again; and ſoon after, the ſaid Martha Jones, Baldwyn, and Thring, heard lady Maria's door bolted again; when they concluded, as the fact and truth was, and afterwards appeared, that Mr. Cooper had then gone into lady Maria's room; whereupon the ſaid Baldwyn and Thring agreed to, and did

did go out of the nurſery-room, and ſtay on the ſtair-caſe, and watch Mr. Cooper's coming out of lady Maria's chamber; and they ſtayed there accordingly till near ſix o'clock in the morning, when they ſaw Mr. Cooper come out of lady Maria's room, in his night-gown and cap on, and go into his own room; that on the ſame morning, being Sunday, the 9th of December, when Ann Bailey, the houſe-maid, went to make lady Maria's bed, the ſame, as well as the pillows, appeared to be very much tumbled; and there were the marks and impreſſions of two bodies having lain therein; and the party proponent doth expreſsly alledge, that, on that night, the ſaid John Allen Cooper actually lay with lady Maria Bayntun, in her bed; and they then and there had the c—l uſe and knowledge of each other's bodies, and committed the crime of adultery: and this was, and is true; and the party proponent doth alledge and propound as before.

XVII. That on Sunday, the ſaid 9th of December laſt, that it was agreed between the ſaid James Thring, Edward Baldwyn, and Martha Jones, to communicate to Sir Edward Bayntun, father of the ſaid Andrew Bayntun, the criminal intercourſe which they had diſcovered to have

have paſſed between the ſaid lady Maria Bayntun, and John Allen Cooper; that Sir Edward Bayntun lived at Spye-park, Wilts, about two miles from Bromham; whereupon the ſaid Edward Baldwyn the huntſman, rode over to Spye-park, and acquainted Sir Edward with what they had ſeen in reſpect to the conduct of lady Maria, and the ſaid Mr. Cooper; and he directed him to make the ſame known to the reverend Mr. Henry Bayntun, his other ſon, who was to be on a viſit to the family at Bromham on the next day, and where the ſaid Andrew Bayntun was expected to arrive from London, either on the ſame Sunday, or the next day; that the ſaid Andrew Bayntun arrived at Bromham the ſaid Sunday evening; and the ſaid reverend Mr. Henry Bayntun, and the reverend John Bayntun his brothers, came over to him on Monday the 10th; that the ſaid Edward Baldwyn had on that morning, purſuant to Sir Edward's directions, acquainted the ſaid Henry Bayntun with what had paſſed between lady Maria, and Mr. Cooper: the ſaid Henry Bayntun ſoon after acquainted his brother, the ſaid Andrew Bayntun, with what had been told him by Baldwyn, of lady Maria's criminal intercourſe with Mr. Cooper, and of the particular circumſtances which proved it, and are herein before

ſtated

ſtated; and at the ſame time mentioned ſome indecent familiarities that had paſſed between them, which he had ſeen, and ſuch as are ſtated in the tenth article of this libel; that the ſaid Henry Bayntun, adviſed the ſaid Andrew Bayntun his brother, to conceal the intelligence he had given him, till he had occular demonſtration of lady Maria's criminality; but the ſaid Andrew Bayntun, with great anxiety of mind, declared he would go directly and charge lady Mary with her guilt, and immediately left his ſaid brother in order to do it: and the party proponent doth alledge, and propound as before.

XVIII. That the ſaid Andrew Bayntun, immediately after the converſation mentioned in the preceding article, paſſed between him and the ſaid Henry Bayntun, went to lady Maria his wife, and told her what he had then heard, with regard to her and Mr. Cooper's conduct to each other, and charged her with infidelity to his bed, but ſhe denied the charge; and he thereupon afterwards, and on the ſame morning, took an opportunity of enquiring among his own ſervants, what had paſſed between Mr. Cooper, and lady Maria, when they acquainted him with what they had diſcovered to have paſſed between them, which is ſtated in

ſeveral of the preceding articles of this libel; that there were in the houſe, at this time, the two brothers of the ſaid Andrew Bayntun beforementioned, the ſaid Mr. Cooper, and a Mr. Johnſon, his brother-in-law, who being all aſſembled in the drawing-room ſome ſhort time before dinner, together with the ſaid lady Maria and the ſaid Andrew Bayntun, her huſband, he addreſſing himſelf to the men preſent, ſaid, "Now, gentlemen, will you declare, as men of honour, what you have ſeen improper in lady Maria's conduct to Mr. Cooper;" the ſaid Henry Bayntun then related the indecent familiarities which he had ſeen paſs between them, and which are mentioned in the tenth article of this libel; but lady Maria denied the ſame, whereupon the ſaid Andrew Bayntun was proceeding in his enquiries, when he was interrupted by the ſervants coming in, and acquainting them that dinner was ready; that the company went to dinner, which being over, the ſaid Andrew Bayntun reſumed the ſubject, and enumerated the ſeveral circumſtances he had learnt from his ſervants, and which are herein beforementioned; and required the ſaid lady Maria, as the only atonement ſhe could make for her guilt, to confeſs the ſame; ſhe thereupon, after

ſome heſitation, acknowledged the truth of the charge, confeſſed that Mr. Cooper had lain with her on the ſeveral nights, as is herein before pleaded, and on many others; and ſaid ſhe had loved no man ſo well as her huſband till ſhe ſaw Mr. Cooper; that ſhe had endeavoured to get the better of her paſſion for him, but found it impoſſible; the ſaid Andrew Bayntun then called on her to ſay, whether the child ſhe was then ſuppoſed to be pregnant with was his or Mr. Cooper's; ſhe replied, it was Mr. Cooper's; whereupon the ſaid Andrew Bayntun then ſaid to her, "Lady Maria, as you have transferred your affections from me to Mr. Cooper, I think you ſhould return me your wedding ring;" and thereupon held out the little finger of his left hand, when lady Maria voluntarily took the ring from her finger, and put it on his; the ſaid Andrew Bayntun then, greatly agitated in mind, left the room, and ſoon after ſet off for his father Sir Edward Bayntun's, at Spye park, accompanied by his brother, the ſaid John Bayntun, and never afterwards converſed with, or ſaw lady Maria Bayntun, his wife; that he, on that night, requeſted his father, Sir Edward Bayntun, to write to his other brother, the ſaid Henry Bayntun, who remained at Bromham, to re-

quire the ſaid John Allen Cooper to quit his houſe immediately; and the ſaid Henry Bayntun having ſignified to the ſaid Mr. Cooper ſuch his brother's deſire, he accordingly quitted the houſe, and went and lay at the Greyhound, a public houſe at Bromham: and this was, and is true, and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XIX. That, on the morning, of Tueſday following, to wit, the 11th of December laſt, lady Maria Bayntun wrote a letter to the ſaid Andrew Bayntun her huſband, who was then at Sir Edward Bayntun's, at Spye-park, and which ſhe ſent by her own maid, and therein again acknowledged her guilty intercourſe with the ſaid John Allen Cooper, and expreſſed her repentance and contrition for it, and for the ill return ſhe had made to his, the ſaid Andrew Baynton's affectionate and generous behaviour to her: and this was and is true; and ſo much the ſaid lady Maria Bayntun knows in her conſcience to be true; and the party proponent doth alledge, and propound as before.

XX. That in ſupply of proof of the premiſſes mentioned in the preceding article, and to all other intents and purpoſes

poſes in law whatſoever, the party proponent doth exhibit hereunto annexed, and prays to be here read and inſerted, and taken as part and parcel hereof, a letter marked No. 3; and did and doth alledge the ſame to be the very letter which the ſaid lady Maria Bayntun ſo wrote, and ſent to him the ſaid Andrew Bayntun her huſband, as is mentioned in the preceding article; and that the ſame is all of the proper hand writing of her the ſaid lady Maria Bayntun, and is ſo known or believed to be, by perſons who were and are acquainted with her hand writing, and who have often ſeen her write; and the party proponent doth further alledge, that M. Bayntun, who ſo wrote and ſubſcribed the ſaid letter, and lady Maria Bayntun, the party accuſed in this cauſe; and Bayntun, to whom the letter is addreſſed; and Edward Bayntun, the party proponent, were, and are the ſame perſons, and not divers: and this was, and is true, and ſo much the ſaid lady Maria Bayntun, party in this cauſe, knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XXI. That on the ſame morning, in which the ſaid lady Maria Bayntun ſo wrote the aforeſaid letter, to the ſaid An-

Andrew Bayntun her huſband, as pleaded in the nineteenth article of this libel, and before it was poſſible for her ſervant to return from him with an anſwer to it, and notwithſtanding her profeſſions of ſorrow and repentance expreſſed in ſuch letter, ſhe, very ſoon after her writing the ſame, dreſſed herſelf, put on her riding habit, and went to the Greyhound at Bromham, to the ſaid John Allen Cooper, who was then there, and preſently after publicly went off with him in his phæton, to his houſe at Cumberwell in the county of Wilts; about eight miles diſtant from Bromham, where they for ſome time reſided, and publicly cohabited together, at bed, and board, as huſband and wife; and where they have been ſeen naked and alone in bed together, by the perſon who attended them there: and this was and is true, public, and notorious; and ſo much the ſaid lady Maria Bayntun, party in this cauſe, knows in her conſcience to be true; and the party proponent doth alledge, and propound as before.

XXII. That ſome time after the ſaid lady Maria Bayntun, and John Allen Cooper had reſided together at Cumberwell aforeſaid, and more particularly, on or about the third day of January laſt, they ſet off for Bath, and went to an inn there, known by

by the name of the Caſtle, where they dined, ſupped, and lay that night together in the ſame bed, naked and alone; that after they had been in bed ſome time, they rang the bell for the chamber-maid to come to them; and ſhe going in to them, they complained that their bed was not warm enough, and ordered her to fetch a pan of coals, which ſhe brought; and they got out of the bed before her, in order that ſhe might warm the bed again, which ſhe accordingly did, and then they went to bed together while the maid was preſent; and ſhe ſaw them together in the ſame room the next morning, juſt as they had got up, and were dreſſing themſelves: and this was, and is true, and ſo much the ſaid lady Maria Bayntun, party in this cauſe, knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XXIII. That ſoon after the premiſſes mentioned in the preceding article, they, the ſaid lady Maria Bayntun and John Allen Cooper, returned to his houſe at Cumberwell aforeſaid, and reſided there, and publicly cohabited together as huſband and wife; and for the greater part of the time ſince, and at this preſent time, do continue to reſide and cohabit together at bed and board, in the ſame manner as if they were huſband

huſband and wife: and this was, and is true, and ſo much the ſaid lady Maria Bayntun, party in this cauſe, knows in her conſcience to be true; and the party proponent doth alledge and propound as before.

XXIV. That the ſaid Andrew Bayntun the party proponent, hath rightly and duly complained of the premiſſes, to you the official principal aforeſaid, and to this court, and the party proponent doth alledge, and propound as before.

XXV. That the ſaid Andrew Bayntun, was and is of Bromham, in the county of Wilts, dioceſe of Sarum, and province of Canterbury; and the ſaid lady Maria Bayntun the party accuſed, being his wife, and at the time ſhe was ſerved with the citation, iſſued in this behalf, reſident in the ſame county, dioceſe, and province; ſhe by reaſon thereof, and of the letters of requeſt ſigned by Sir Charles Gould, knight, official principal of the conſiſtorial court of Sarum, exhibited in, and now remaining in the regiſtry of this court, was and is ſubject to the juriſdiction of this court; and the party proponent doth alledge, and propound as before.

XXVI. That all and ſingular the premiſſes were, and are true, public, and notorious; and thereof there was, and is a public voice, fame, and report, of which, legal

gal proof being made, the party proponent prays right and juſtice to be effectually adminiſtered to him, and his party in the premiſſes; and that the ſaid Andrew Bayntun, Eſq; may be divorced from bed, board, and mutual cohabitation with the ſaid Right Honourable Lady Maria Bayntun, his wife, by reaſon of adultery ſo by her committed as aforeſaid, by you or your definitive ſentence or final interlocutory decree to be given in this behalf; and further, that you would decree what ſhall be juſt and lawful in the premiſſes, the party proponent not obliging himſelf to prove all and ſingular the premiſſes, nor to the burthen of a ſuperfluous proof, againſt which he proteſts and prays, that ſo far as he may prove in the premiſſes, he may obtain in his petition the benefit of the law, being always preſerved, humbly imploring the aid of your office in this behalf.

Saint George's, Hanover Square, Regiſter Book of Marriages, 1776.

MARRIAGES in June, 1777.

ANDREW BAYNTUN, Eſq; of the Pariſh of St. Mary-le-Bone, and the Right Honourable Lady Maria Coventry, of this Pariſh, were married in the dwelling Houſe of the Right Honourable Earl of Coventry, in Piccadilly, in this Pariſh, by ſpecial Licence, this twenty-eighth Day of June, 1777, by me

St. Andrew St. John, Rector Fawley.
Com. Southton.

This Marriage was ſolemnized between us,
ANDREW BAYNTUN,
MARIA COVENTRY.

In the preſence of
COVENTRY,
E. BAYNTUN ROLT,
ANNE COVENTRY,
WILLIAM HARRIS,
JOHN COVENTRY.

IN THE

Arches COURT of Canterbury.

DEPOSITIONS.

The Depoſition of Charles Fiſher.

CHARLES FISHER, of the city of Bath, in the county of Somerſet, publican, aged twenty years and upwards, a witneſs produced and ſworn.

To the twelfth article of the ſaid libel this deponent ſaith, that he lives as an aſſiſtant to his father-in-law, George Arnold, at the White Lyon inn, in the city of Bath, and hath ſo done for three or four years laſt paſt; that on a day, happening

ſome time about the middle of November, 1781, two ladies and a boy, about nine or ten years old, came to the ſaid inn, in a phæton, accompanied by another young gentleman, about fourteen or fifteen, on horſeback; that they arrived at the ſaid inn about two o'clock in the afternoon, and dined, ſupped, and ſlept there; that the phæton in which the ſaid ladies ſo came to the ſaid inn, was driven by a ſervant, of whom this deponent took an opportunity of enquiring about the ſaid ladies, and was then informed by the ſaid man, that the lady in the riding habit was lady Maria Bayntun, the wife of Andrew Bayntun, Eſq; which Andrew Bayntun, Eſq; was perſonally known to the deponent, by his uſing the ſaid inn; and the ſaid ſervant further informed the deponent, that the lady that was with the ſaid lady Bayntun was named Johnſon, and was a relation of Mr. Bayntun's; that this deponent attended the ſaid ladies at dinner, and noticed that they held their converſation principally in French; that after the ſaid ladies and young gentlemen had dined,

beds

beds were ordered, but what particular orders were given reſpecting their ſleeping, the deponent knows not; that the ſaid ladies and young gentlemen then went out; and the ſaid ladies returned to the ſaid inn at about nine o'clock in the evening, without the young gentlemen, who the deponent then underſtood were gone to the play; that after the ſaid ladies were returned to the ſaid inn, and had been up ſtairs ſome time, one of the chamber-maids belonging to the ſaid inn, and who had been attending on lady Bayntun, mentioned amongſt the ſervants, in the deponent's hearing, that the ſaid lady Bayntun, had rubbed out the figure, No. 5, which was on her chamber-door, and had with chalk put No. 2, underneath the ſame; that this deponent thinking ſuch circumſtance rather extraordinary, went up ſtairs to the door of the room, where the deponent underſtood from ſuch chamber-maid, that the ſaid lady Baynton was to ſleep, and he, the deponent then obſerved, that the figure 5, on the ſaid door was rubbed over,

and

and No. 2, chalked under it; and this deponent ſaith, that after the two young gentlemen had returned from the play, and they and the ſaid ladies had ſupped, they all retired to reſt; and this deponent ſaw the ſaid lady Maria Bayntun go towards the ſaid chamber, No. 5, where this deponent before underſtood ſhe was to ſleep, and in which room there was but one bed; and this deponent ſaith, that in about a quarter of an hour after lady Maria Bayntun had, as aforeſaid, gone to her bed-room, and juſt as the gates of the ſaid inn were about to be ſhut, a gentleman, who was an entire ſtranger to the deponent, came in, and went up ſtairs into the dining-room, where the ſaid ladies had ſupped; that the waiter thereupon followed the ſaid gentleman, as did alſo the deponent; and the ſaid waiter aſked him, in the deponent's hearing, if he wanted the chamber-maid; to which he anſwered, yes; and the chamber-maid being accordingly ſent him, he directed a bed, and was ſhewn to No. 11, being a room in the gallery beneath the

room

room No. 5, wherein lady Maria Bayntun was to ſleep: that this deponent being then in the ſaid gallery, and in ſuch a ſituation as to command both the ſaid rooms, did then obſerve the ſaid lady Bayntun look over the railing, on the landing-place; and he, the ſaid gentleman, opened his door, and looked up towards her; and this deponent ſaith, that thinking ſuch conduct rather extraordinary, he was induced to watch the ſaid parties, and accordingly did watch them; and, in a few minutes, ſaw the ſaid gentleman quit his own room, No. 11, and go up to lady Maria Bayntun's room, No. 5, and ſhut the room door after him; ſoon after which, this deponent went to bed; and this deponent ſaith, that the next morning this deponent roſe between ſeven and eight, and found that the gentleman had gone without paying for his bed, before the deponent was up: that lady Maria Bayntun, Mrs. Johnſon, and the young gentlemen, breakfaſted at the ſaid inn, and then went away; that after they were gone, this deponent was impelled,

by

by curioſity, to go, and did accordingly go, up ſtairs into the room, No. 11, where the ſaid gentleman was ſhewn to a bed; and alſo to No. 5, where the deponent was well convinced the ſaid lady Maria Bayntun was to ſleep; and this deponent was, from the obſervations he then made, certain that no one had ſlept that night in the bed, in the room No. 11; that the bed cloaths in the room No. 5, being thrown back, this deponent obſerved ſpots and ſtains in the ſheets, whereby, and from the ſaid bed being much tumbled, this deponent was well convinced that two perſons had ſlept that night therein, and had c---l c-------n together; and further he cannot depoſe.

CHARLES FISHER.

The

The Depoſition of James Thring.

JAMES THRING, of Bromham, in the county of Wilts, ſervant, aged twenty-four years and upwards, a witneſs, produced and ſworn.

To the ſixth article of the ſaid libel, this deponent ſaith, that he hath known Andrew Bayntun, Eſq; and the right honourable lady Maria Bayntun his wife, parties in this cauſe, for about a year and nine months laſt paſt, and firſt came ſo to know them, by his going to live as footman in their family, in the month of Auguſt, 1780; that they the ſaid Andrew Bayntun, and lady Maria Bayntun, then lived and reſided together, at bed and board, as man and wife, at Bromham in the county of Wilts; and continued ſo to do, until ſome time in the month of December, 1781, when they parted; and this deponent ſaith, that

he the ſaid Andrew Bayntun, behaved towards the ſaid lady Maria Bayntun his wife, with the greateſt affection and tenderneſs, ſo far as this deponent obſerved, during ſuch their reſidence together; and this deponent always conſidered the ſaid Andrew Bayntun, Eſq; as a perſon of a virtuous and ſober life and converſation; and further to this article he cannot depoſe.

To the ninth article of the ſaid libel, this deponent ſaith, that ſome time in the ſummer of the year, 1781, a young gentleman, who this deponent underſtood was nephew to the producent, and whoſe name was John Cooper (as the deponent heard him ſtiled) came to reſide at the houſe of the producent, at Bromham aforeſaid; that the ſaid gentleman appeared to the deponent to be about twenty years of age; that after he the ſaid Mr. Cooper, had been at Bromham, about a month or ſix weeks, the producent being called to London, to attend as a member of the houſe of commons, it was obſerved, that lady Bayn-

Baynton, party in this cauſe, and the ſaid Mr. Cooper, would ſit up alone together, continually till twelve or one o'clock in the morning; and this deponent alſo about that time, ſeveral times obſerved the ſaid lady Bayntun, ſitting in the ſaid Mr. Cooper's lap, and hath ſeen them chuck one another under the chin; that one evening about the time aforeſaid, when the ſaid Mr. Cooper, and lady Bayntun were in the parlour alone together, this deponent being ordered to ſhut the windows, he the deponent left the upper part of one of the ſhutters open purpoſely, and afterwards went into a field adjoining, and getting upon a gate thereby, commanded the ſaid parlour; and by the light of the candles therein, ſaw the ſaid Mr. Cooper and lady Bayntun kiſſing each other; that this deponent thereupon went into the kitchen, and called out the coachman and Mary Naſh, lady Bayntun's maid; and they getting alſo upon the ſaid gate, obſerved the like familiarity between the ſaid Mr. Cooper and lady Bayntun; and this deponent further ſaith, that, in the

ſaid ſummer of the year 1781, this deponent hath, ſeveral times, obſerved the ſaid Mr. Cooper and lady Bayntun coming out of the neceſſary, in the garden, at different doors, although ſuch neceſſary was only one room; and in which room this deponent hath been convinced they had been, at ſuch times, alone together, from the ſhort diſtance of time of their coming out apart; that ſuch the conduct of the ſaid Mr. Cooper and lady Bayntun towards each other, became the ſubject of general converſation amongſt the ſervants in the kitchen; and further to this article he cannot depoſe.

To the fourteenth and ſixteenth articles of the ſaid libel, this deponent ſaith, that the ſaid Andrew Bayntun, Eſq; having again occaſion to attend parliament, ſet off from his houſe, at Bromham aforeſaid, for London, on Friday morning, the 23d of November, 1781; that the ſaid Mr. Cooper had been abſent from Bromham for ſome time previous, but returned to the houſe of the producent the Monday after he, the

pro-

producent, was ſo ſet off for London as aforeſaid; that he, the ſaid Mr. Cooper, ſlept that night in a room, wherein he had uſually ſlept, in the ſaid houſe, and which was oppoſite to lady Bayntun's bed-chamber; and this deponent ſaith, that being ſuſpicious, from the familiarity he had before ſeen, and from the ſaid Mr. Cooper's coming ſo ſoon after the producent was gone to London, that a criminal connection was forming, or ſubſiſted, between the ſaid lady Bayntun and Mr. Cooper, this deponent determined to watch them, and went and concealed himſelf behind a partition door, between twelve and one o'clock in the morning, being not more than a quarter of an hour after the family were gone up to bed; that this deponent then ſaw the ſaid Mr. Cooper come out of his room, with his night-gown and cap, and puſhed the door, behind which this deponent had ſo placed himſelf, but not ſo as to diſcover the deponent, as he believes; that he, the ſaid Mr. Cooper, then went down ſtairs, and looked into the parlours; and, in the mean

mean time, this deponent, to avoid being diſcovered, retired, and went to his own room; that ſuch conduct of the ſaid Mr. Cooper, having rather increaſed the deponent's ſuſpicions, he determined again to watch; and, accordingly, on Wedneſday night following, being the 28th of the ſaid month of November, about a quarter of an hour after the family had retired to reſt, and being then betwixt twelve and one o'clock, as the deponent thinks, he the deponent went again and placed himſelf behind the ſaid partition door; and after he had been there about five minutes, he ſaw the ſaid Mr. Cooper come out of his own bed-room without his cloaths or ſhoes, and having only his night gown and cap on; and he the ſaid Mr. Cooper went then immediately into the bed-chamber of the ſaid lady Maria Bayntun, and ſhut the door after him, and the deponent then heard the night-bolt of the ſaid door go down; and this deponent then went away; that he the deponent in like manner, and about the ſame hour, watched the ſaid Mr. Cooper

per on the night following, being Thurſday the 13th of November, and again ſaw the ſaid Mr. Cooper go into the ſaid lady Maria Bayntun's bed chamber, in his night gown and cap, as he had done the preceding night; and this deponent ſaith that the behaviour of the ſaid Mr. Cooper, and lady Maria Bayntun, being the ſubject of much converſation amongſt the ſervants; and this deponent having mentioned what he had ſeen as before depoſed to, and his fellow witneſs Martha Jones, having alſo mentioned ſome circumſtances by her ſeen, it was agreed and determined, that the deponent, the ſaid Martha Jones, and Edward Baldwyn, ſhould all watch one night, in order to be able properly to inform the producent, of the improper behaviour of the ſaid lady Bayntun and Mr. Cooper: that accordingly, on the night of Friday the 7th of December, after the ſaid Mr. Cooper, and lady Maria Bayntun had retired to their reſpective chambers, Edward Baldwyn went into the nurſery to the ſaid Martha Jones; and this deponent having put away his things,

mean time, this deponent, to avoid being diſcovered, retired, and went to his own room; that ſuch conduct of the ſaid Mr. Cooper, having rather increaſed the deponent's ſuſpicions, he determined again to watch; and, accordingly, on Wedneſday night following, being the 28th of the ſaid month of November, about a quarter of an hour after the family had retired to reſt, and being then betwixt twelve and one o'clock, as the deponent thinks, he the deponent went again and placed himſelf behind the ſaid partition door; and after he had been there about five minutes, he ſaw the ſaid Mr. Cooper come out of his own bed-room without his cloaths or ſhoes, and having only his night gown and cap on; and he the ſaid Mr. Cooper went then immediately into the bed-chamber of the ſaid lady Maria Bayntun, and ſhut the door after him, and the deponent then heard the night-bolt of the ſaid door go down; and this deponent then went away; that he the deponent in like manner, and about the ſame hour, watched the ſaid Mr. Cooper

per on the night following, being Thurſday the 13th of November, and again ſaw the ſaid Mr. Cooper go into the ſaid lady Maria Bayntun's bed chamber, in his night gown and cap, as he had done the preceding night; and this deponent ſaith that the behaviour of the ſaid Mr. Cooper, and lady Maria Bayntun, being the ſubject of much converſation amongſt the ſervants; and this deponent having mentioned what he had ſeen as before depoſed to, and his fellow witneſs Martha Jones, having alſo mentioned ſome circumſtances by her ſeen, it was agreed and determined, that the deponent, the ſaid Martha Jones, and Edward Baldwyn, ſhould all watch one night, in order to be able properly to inform the producent, of the improper behaviour of the ſaid lady Bayntun and Mr. Cooper: that accordingly, on the night of Friday the 7th of December, after the ſaid Mr. Cooper, and lady Maria Bayntun had retired to their reſpective chambers, Edward Baldwyn went into the nurſery to the ſaid Martha Jones; and this deponent having put away his things,

things, and put out the candles, went and ſtood upon a preſs, and thereby commanded a ſight of both the chamber doors of the ſaid Mr. Cooper and lady Maria Bayntun; that in a few minutes (and being then about one o'clock in the morning) this deponent ſaw the ſaid Mr. Cooper in his night gown and cap, as before, go out of his own chamber, into that of lady Maria Bayntun's, and ſhut the door after him; that this deponent then immediately went to the nurſery, and informed the ſaid Edward Baldwyn, and Martha Jones of what he had ſo ſeen; and it was then agreed, that the ſaid Edward Baldwyn and this deponent ſhould ſit up during the remainder of the night, in order to obſerve the ſaid Mr. Cooper on his coming out in the morning; and this deponent ſaith that about a quarter before ſix o'clock in the morning, of the 8th of December, this deponent being then with the ſaid Edward Baldwyn, ſtanding by the paſſage door, and watching as aforeſaid, ſaw the ſaid Mr. Cooper in his night-gown and cap, come out of the bed-chamber of the ſaid lady Maria

Maria Bayntun, and go directly to his own chamber; and this deponent ſaith that from what he had ſo obſerved, as by him predepoſed to, he did and doth verily believe, that an adulterous intercourſe was carried on between the ſaid Mr. Cooper, and lady Maria Bayntun; and further he cannot depoſe.

JAMES THRING.

The Depoſition of John Whitlaw.

JOHN WHITLAW, of the city of Bath, in the county of Somerſet, ſervant, aged twenty-one years and upwards, a witneſs produced and ſworn.

To the twelfth article of the ſaid libel, this deponent ſaith, that he hath known Andrew Bayntun, Eſq; and alſo lady Maria Bayntun, his wife, parties in this cauſe, by perſon, for about a twelve month; and came ſo to know them by their occaſionally

uſing the White Lyon inn, at Bath, where this deponent hath lived waiter about that period; and this deponent ſaith, that, on the 14th day of November laſt, the ſaid lady Bayntun, wife of Andrew Bayntun, Eſq; came to the ſaid inn, accompanied by a lady, who was unknown to this deponent, and two young gentlemen; that the ladies and the younger gentleman, came in a phæton, driven by a ſervant, and the other young gentleman was on horſeback; and they arrived at the ſaid inn between eleven and twelve o'clock in the forenoon, and dined, ſupped, and ſlept there; that lady Bayntun was to ſleep in a room, No. 5, wherein is only one bed; and the other lady, and the young gentlemen, were to ſleep in a room, No. 1, which is a double bedded room; that they all retired to bed a little after eleven; that after the ſaid lady Bayntun had been up ſtairs about half an hour, this deponent being then cleaning out the dining-room, ſhe, the ſaid lady Bayntun, came down ſtairs in her bed-gown into the ſaid dining-room, and ordered

dered the deponent to quit the ſame, and ſaid ſhe was going to read there; that this deponent thereupon went into the next room; and ſhe, the ſaid lady Bayntun, ſtaid ſome little time, and then went back into her own room, and returned again into the ſaid dining-room, and again went back into her own room, in a ſmall ſpace of time; that ſhortly after the ſaid lady Bayntun had laſt again returned to her own chamber, this deponent heard a knocking at the door, it being then near about twelve o'clock; and the gates being then ſhut, that this deponent immediately went down ſtairs and opened the gate, and thereupon a gentleman, a total ſtranger to the deponent, ran in, and went up ſtairs into the dining room, where the ſaid lady Bayntun and her party had ſupped; that the deponent followed him, and aſked him who he wanted; to which he anſwered, the chamber-maid; and the deponent thereupon ſent her to him; and he having ordered a bed, the deponent ſaw him go to a room, No. 11, which is ſituated in the gallery,

underneath the room, No. 5, where lady Bayntun was to ſleep; and this deponent ſaith, that the next morning this deponent found that the ſaid ſtrange gentleman had left the ſaid inn very early; and it being mentioned that No. 5, on lady Bayntun's door, was obliterated by her, and No. 2 put thereon, this deponent went to look at the ſaid door, and then ſaw and obſerved ſuch an alteration made on the ſaid door, with chalk; but further he cannot depoſe.

JOHN WHITLAW.

The

The Depoſition of Mary Coward.

MARY COWARD, of the city of Bath, in the county of Somerſet, ſpinſter, aged twenty-four years and upwards, a witneſs produced and ſworn.

To the twelfth article of the ſaid libel this deponent ſaith, that ſhe hath lived as barmaid at the White Lyon Inn in the city of Bath, upwards of three years laſt paſt; and thereby perſonally knows, and is acquainted with Andrew Bayntun, Eſq; and lady Maria Bayntun, his wife, parties in this cauſe, they the ſaid Andrew Bayntun and lady Bayntun occaſionally uſing the ſaid Inn when they came to Bath; and this deponent ſaith, that on the 14th of November laſt, in the forenoon, the ſaid lady Bayntun, and another lady a ſtranger to the deponent, who lady Bayntun called by the name

name of Johnſon, came to the ſaid Inn with two young gentlemen; that the ſaid parties all dined, ſupped, and ſlept at the ſaid Inn; that lady Bayntun choſe the rooms for ſleeping, and herſelf made choice of a room, No. 5, to ſleep in, and directed two beds in No. 1, to be prepared for Mrs. Johnſon and the two young gentlemen; that before ſupper, the chambermaid came to this deponent for a bit of chalk, and carried the ſame up to lady Bayntun, as the deponent underſtood and believes; and this deponent ſaith, that the ſaid lady Bayntun retired to her bed-room a little after eleven; and in about a quarter of an hour after, this deponent aſſiſted in putting Mrs. Johnſon to bed, in the room, No. 1; that, as this deponent was going down ſtairs from Mrs. Johnſon, ſhe, the deponent, ſaw lady Bayntun ſtanding on the dining-room ſtairs, in her night-gown; that the deponent thereupon aſked her if ſhe wanted the chamber-maid; but ſhe anſwered in the negative, and bad the deponent go down ſtairs; that, in about half

an

an hour afterwards, ſomebody knocked at the gate; and the ſame being opened by the waiter, this deponent ſaw a gentleman come in, and run up ſtairs; and on the waiter's following him, the deponent underſtood he wanted a bed; and one was accordingly prepared for him in a room No. 11, being on a landing place below lady Bayntun's room No. 5; and the ſaid ſtrange gentleman was ſhewn thereto; and this deponent ſaith, that in leſs than a quarter of an hour afterwards, ſhe the deponent being herſelf going up to bed, but without any candle, ſhe obſerved the door of the room No. 11, to open, and the deponent thereupon ſtood ſtill, and then ſaw the ſaid ſtrange gentleman come out of the ſaid room with his candle in his hand, and having locked the door he blew out the candle; and by the light of a lantern then in the gallery, this deponent ſaw the ſaid gentleman go towards the chamber No. 5; that this deponent's ſituation was ſuch, that ſhe could not ſee him go into the ſaid room; but this deponent is nevertheleſs certain, that ſuch gentleman

tleman did then go into the ſaid chamber, No. 5, by reaſon that this deponent heard the door open and ſhut, and heard his voice in the ſaid room; and this deponent ſaith, that ſhe then immediately went down ſtairs again, and informed her miſtreſs of what ſhe had ſo ſeen; that her miſtreſs not being inclined to credit the deponent, ſhe the deponent took a bunch of keys that hung near the bar, and went with the chamber-maid, and having found a key that opened the ſaid chamber door No. 11, they went into the ſaid chamber; and this deponent found the ſaid ſtrange gentleman's boots ſtanding by the bed; and the cloaths were flung back, and the bed preſſed, to make it look as if ſome perſon had ſlept therein; and this deponent further ſaith, that, on getting up in the morning, ſhe found that the ſaid ſtrange gentleman had quitted the ſaid Inn; and this deponent having occaſion to go to Briſtol, left lady Bayntun at the ſaid Inn; and cannot of her own knowledge further depoſe.

MARY COWARD

The Depoſition of Martha Jones.

MARTHA JONES, of Bromham in the county of Wilts, aged thirty-three years and upwards, a witneſs produced and ſworn.

To the ſixth article of the ſaid libel this deponent ſaith, that ſhe hath lived as nurſe in the family of Andrew Baynton, Eſq; the producent in this cauſe, for upwards of two years and a quarter, laſt paſt; and thereby firſt came to know and be acquainted with the ſaid Andrew Bayntun, and lady Maria Bayntun his wife, the parties in this cauſe; that when firſt this deponent went to live in the family, they the ſaid Andrew Bayntun, and lady Maria Bayntun his wife, lived and cohabited together as huſband and wife, at bed and board; and he the ſaid Andrew Bayntun, during the whole time the ſaid lady Bayntun ſo reſided with him, ſince the

deponent knew them, always treated and behaved towards the ſaid lady Bayntun with the greateſt affection, and in the moſt indulgent manner; and he the ſaid Andrew Bayntun, always appeared to this deponent to be, and was and is, as ſhe verily believes, a perſon of a ſober and virtuous life and converſation; and further to this article ſhe cannot depoſe.

To the eighth poſition or article of the ſaid libel, this deponent ſaith, that ſhe firſt came to know the articulate John Allen Cooper, Eſq; ſome time in the month of February or March, 1781, when he the ſaid Mr. Cooper came viſiting at the houſe of the producent; and this deponent then underſtood, that he the ſaid Mr. Cooper, was a nephew of the producent, and was juſt then come from America; that he the ſaid Mr. Cooper, when firſt he ſo came to viſit at the producent's, lodged at a houſe in Sandy-lane, being about two miles and an half from the producent's houſe at Bromham; that he

he the ſaid Mr. Cooper, removed from Sandy-lane, in the courſe of the ſummer, and took lodgings at a public houſe, oppoſite the producent's houſe aforeſaid; and then alſo continued to viſit the producent, until ſome time in or about the month of Auguſt, 1781, when he came by invitation, as the deponent believes, to reſide at the producent's; and was from that time backwards and forwards, either at the producent's houſe, or at his own houſe at Cumberwell, until the tenth of December following; and further to this article ſhe cannnot depoſe.

To the eleventh article of the ſaid libel this deponent ſaith, that the ſaid Mr. Cooper, being at the houſe of the producent, on Tueſday the 10th of September laſt, he the ſaid producent roſe between ſix and ſeven, and this deponent about that time heard him call at Mr. Cooper's chamber door, for him the ſaid Mr. Cooper to get up and go with him a hunting; but he the ſaid Mr. Cooper declined ſo

to do; that this deponent being up, from her chamber window, preſently afterwards ſaw the producent and the reſt of the company, ſet off with the hounds; and this deponent ſaith, that Mr. Bayntun was ſcarcely out of ſight, before this deponent heard Mr. Cooper's chamber-door open; the nurſery where this deponent ſlept, and then was, being the room adjoining to his; that this deponent hearing a ſtep upon the ſtairs, leading from Mr. Cooper's ſaid room, to the room where lady Bayntun then was, ſhe the deponent opened her own room-door, and then plainly ſaw Mr. Cooper go into lady Bayntun's bed chamber, in his night-gown and night-cap; that he, the ſaid Mr. Cooper, endeavoured to faſten the door of the ſaid room, but was not able, by reaſon (as the deponent obſerved) of the night-bolt; that this deponent then watched the ſaid Mr. Cooper, and ſaith that after he had ſtaid about twenty minutes in the ſaid lady Bayntun's bed-chamber, he came out, in order as the de-

ponent believes, to return to his own chamber again; but it being neceſſary he ſhould paſs by this deponent's room, and this deponent having purpoſely left her room-door open, he ſlipt into another room oppoſite lady Bayntun's bed-chamber, and ſtaid there about ten minutes, and then paſſed by the deponent's room, in the deponent's ſight, to his own; and this deponent ſaith, that on Monday, the 17th of the ſaid month of September, he the ſaid Mr. Cooper being ſtill at the houſe of the producent, he the ſaid producent again got up to hunt, and called on the ſaid Mr. Cooper between ſix or ſeven in the morning to go with him, but he refuſed as before; and the deponent ſaith, that after the ſaid Mr. Bayntun was gone, ſhe the deponent, as before, heard the ſaid Mr. Cooper open his chamber door and go out; and this deponent then watched, and ſaw him again go into lady Maria Bayntun's bed-chamber, and ſhut the door after him; he the ſaid Mr. Cooper being then alſo in his night-gown and cap;

cap; that he, the ſaid Mr. Cooper, then alſo remained with the ſaid lady Maria Bayntun, in her ſaid bed-chamber, about twenty minutes, and then was ſeen to come out from thence, by the deponent as before; and this deponent doth in her conſcience verily believe, that at the times by her predepoſed to, they, the ſaid Mr. Cooper, and lady Maria Bayntun, committed adultery together; but further ſhe cannot depoſe to this article.

To the fourteenth, fifteenth, and ſixteenth articles of the ſaid libel, this deponent ſaith, that Andrew Bayntun, Eſq; the producent, being gone to London, the aforeſaid John Allen Cooper came to the ſaid producent's houſe at Bromham aforeſaid, on Monday, the 26th of November laſt; that the conduct of the ſaid Mr. Cooper, and the ſaid lady Maria Baynton towards each other, became the ſubject of much obſervation, and converſation amongſt the ſervants; and this deponent being in her own mind convinced, that a cri-

criminal connection ſubſiſted between them, ſhe the deponent was particularly attentive to their conduct; and this deponent ſaith, that when the ſaid Mr. Cooper came to Bromham this laſt time, he changed his bed room, and ſlept in a room oppoſite lady Maria Bayntun's; that on the Wedneſday night the 28th, or early in the morning of Thurſday the 29th, and after the family were gone to reſt, this deponent plainly heard the ſaid Mr. Cooper's chamber door open, and ſomebody go into lady Maria Bayntun's chamber; and the deponent then heard the night-bolt drop; and a little before eight in the morning, the deponent heard the ſaid lady Maria Bayntun's room door again open; and the deponent going out of her own room, ſaw the ſaid Mr. Cooper then going into his room in his night-gown and cap; and this deponent further ſaith, that between ſeven and eight o'clock in the morning of the firſt of December laſt, this deponent's fellow witneſs, Ann Baily, having been to light Mr. Cooper's fire in his cham-

chamber, and coming afterwards into this deponent's room, told her, that Mr. Cooper was not in bed; that this deponent was thereupon induced to go into the paſſage, and then ſaw the ſaid Mr. Cooper open lady Maria Bayntun's chamber room-door, and come out from the ſaid chamber, and go to his own; that this deponent is certain the ſaid lady Bayntun, was then in her ſaid chamber, by reaſon that ſhe ſhortly afterwards came out from thence to the deponent; and this deponent further ſaith, that the conduct of the ſaid Mr. Cooper, and lady Bayntun, towards each other, became at length ſo very flagrant, as to be obſerved by almoſt all the ſervants; and it was then agreed upon, by this deponent and her fellow witneſſes, James Thring, and Edward Baldwyn, that they would find an opportunity to catch them together, and inform the producent thereof; and accordingly, on Saturday night the 8th of December laſt, the producent being then in town, about twelve o'clock the ſaid lady

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Bayntun and Mr. Cooper being reſpectively retired to their rooms, the aforeſaid Edward Baldwyn came up into the nurſery, and James Thring remained below; that in about a quarter of an hour, Mary Naſh, her ladyſhip's maid, came out of lady Bayntun's room, and the deponent then heard the door faſtened, and the ſaid Mrs. Naſh went away; that in a few minutes the deponent heard the bolt drawn up, and then the deponent opened her own door, and ſaw lady Bayntun's chamber door open on the jar, and the deponent then alſo ſaw the ſaid Mr. Cooper's chamber door open, and ſaw him come out of his own room in his night-gown and cap; and the deponent immediately ſhut her own room door, but could plainly hear him, the ſaid Mr. Cooper, go into lady Maria Bayntun's room, and told the ſaid Edward Baldwyn, ſhe was then convinced, the ſaid Mr. Cooper was then gone to her ladyſhip; that the ſaid Edward Baldwyn then ſwore he would ſee him out, or to that effect; and accord-

ingly left the deponent to watch for that purpoſe, as the deponent verily believes; but further from her own knowledge ſhe cannot depoſe.

MARTHA JONES.

The Depoſition of Mary Naſh.

MARY NASH, of Mount Street, in the pariſh of St. George, Hanover Square, in the county of Middleſex, ſpinſter, aged twenty-two years and upwards, a witneſs produced and ſworn.

To the ſixth article of the ſaid libel, this deponent ſaith, that ſhe firſt came to know, and be acquainted with Andrew Bayntun, Eſq; and lady Maria Bayntun, his wife, parties in this cauſe, by going to live in their family, as lady Bayntun's maid, in the month of January, 1780; that this deponent

ponent continued in ſuch ſervice until the ſaid lady Bayntun left the houſe of her ſaid huſband, on the 11th of December laſt; and this deponent ſaith, that, from the time this deponent ſo firſt went to live ſervant in the ſaid family, until he, the producent, was informed of the infidelity of the ſaid lady Bayntun, which was in the ſaid month of December laſt, that he, the ſaid Andrew Bayntun, behaved towards the ſaid lady Bayntun, his wife, with the greateſt tenderneſs and affection; and he, the ſaid Andrew Bayntun appeared to this deponent to be, and was, as ſhe verily believes, a perſon of a ſober and virtuous life and converſation; and further to this article ſhe cannot depoſe.

To the eighth article of the ſaid libel, this deponent ſaith, that ſhe firſt came to know and be acquainted with the articulate John Allen Cooper, Eſq; by his coming to viſit at the houſe of the producent, at Bromham, in the county of Wilts, ſometime in the month of February or

March, 1781; and this deponent then underſtood that he, the ſaid Mr. Cooper, was juſt then come from abroad; and that he was a nephew of the producent; that when firſt the ſaid Mr. Cooper ſo came viſiting at the ſaid Mr. Bayntun's, he lodged at a place, called Sandy Lane, about two miles from Bromham; and, in the beginning of the ſummer, he removed and took lodgings at a public-houſe, oppoſite the producent's houſe, at Bromham; and ſometime in or about the month of Auguſt following, he came, by the invitation of the producent, to ſleep at the houſe of the producent; and, from that time, was chiefly reſident there, except when he went to his own houſe at Cumberwell, about twelve miles from Bromham, where he occaſionally went for two or three days; and further to this article ſhe cannot depoſe.

To the ninth article of the ſaid libel, this deponent ſaith, that, very ſhortly after the ſaid Mr. Cooper firſt came to viſit in the

the family of the producent, as by her predepoſed to, ſhe, the deponent, obſerved the conduct of the ſaid Mr. Cooper and lady Maria Bayntun, to be very particular towards each other, that ſhe the ſaid lady Maria Bayntun always ſeemed particularly deſirous of having no other company when the ſaid Mr. Cooper was there in the abſence of the producent; and they the ſaid lady Maria Bayntun and Mr. Cooper would on thoſe occaſions ſit up alone together in the parlour till one or two o'clock in the morning, whereas at other times the ſaid lady Bayntun uſed to go to bed about eleven o'clock; and this deponent ſaith, that on a night, happening in the ſaid ſummer 1781, but more particularly as to the time ſhe cannot depoſe, the ſaid Andrew Bayntun being in London, and the ſaid lady Maria Bayntun and Mr. Cooper in the dinner parlour at Bromham aforeſaid, alone together, between eleven and twelve o'clock, this deponent was called out into the yard by one of the men ſervants; that on this deponent's going into the ſaid yard, ſhe was told

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by one of the men ſervants then in the ſaid yard, to look through a hole in the ſhutter of one of the windows of the ſaid parlour, whereby this deponent was enabled to look into the ſaid room, which this deponent thereupon accordingly did; and ſhe this deponent then ſaw the ſaid lady Maria Bayntun ſitting on the ſaid Mr. Cooper's knee, with her arms round his neck, and kiſſing him; that this deponent then was aſſiſted by Benjamin Amor, the producent's coachman to ſtand on a gate oppoſite one of the ſaid windows, the top ſhutter of which was left open, and this deponent then again looking into the ſaid room, ſaw the ſaid lady Maria Bayntun ſtanding with her face towards the ſaid Mr. Cooper, and her petticoats up; and then ſaw the ſaid Mr. Cooper kiſs the ſaid lady Bayntun; but further to this article ſhe cannot depoſe.

To the nineteenth, twentieth, and twenty-firſt articles of the ſaid libel this deponent ſaith, that on the morning of Tueſday the eleventh of December laſt, being the

day

day after the producent had withdrawn himſelf from the ſaid lady Maria Bayntun by reaſon of her criminal behaviour with Mr. Cooper, ſhe the ſaid lady Maria Bayntun, being then at Bromham aforeſaid, in this deponent's preſence, wrote a letter; and having ſealed and directed the ſame for Andrew Bayntun, Eſq; ſhe the ſaid lady Bayntun directed this deponent to take the ſame to the producent, who was then at Spye park, being the ſeat of his father, and about two miles from Bromham; and ſhe the ſaid lady Bayntun was then in great agitation of mind, and expreſſed great ſorrow for her conduct and behaviour towards her ſaid huſband; and told the deponent to urge the ſame; and to tell the producent ſhe would go any where, or come to any terms he ſhould propoſe, if he would but forgive her; and this deponent ſaith, that ſhe accordingly took the ſaid letter, and delivered the ſame to the producent, at Spyke Park aforeſaid; but whilſt this deponent was there, and in about two hours after the deponent left Bromham, news was brought

that

that lady Bayntun was gone off, in a phæton, with Mr. Cooper; and this deponent ſaith, that, during her reſidence in the ſervice of the ſaid lady Bayntun, as by her predepoſed to, ſhe hath, ſeveral times, ſeen the ſaid lady Maria Bayntun write, and ſubſcribe her name; and thereby came to know, and be well acquainted with her manner and character of hand writing and ſubſcription; and the paper, writing, or exhibit, marked with the letter B, and pleaded and exhibited in the ſaid twentieth article of the ſaid libel, as being the original letter written and ſent by the ſaid lady Maria Bayntun to the ſaid Andrew Bayntun, Eſq; as aforeſaid, being now produced, and ſhewn to the witneſs, ſhe ſaith, that ſhe doth verily, and in her conſcience believe, the ſaid letter, and the whole ſeries and contents thereof, and the ſubſcription "M. Bayntun" thereto, and the ſubſcription "Andrew Bayntun, Eſq;" on the cover annexed, to be of the proper hand writing and ſubſcription of her, the ſaid lady Maria Bayntun; and that Andrew Bayntun,

Bayntun, Eſq; to whom the ſaid letter is addreſſed; and lady Maria Bayntun who wrote the ſame, and Andrew Bayntun, Eſq; and lady Maria Bayntun, parties in this cauſe, were and are the ſame perſons, and not divers; and further ſhe cannot depoſe.

MARY NASH.

The Depoſition of the Reverend Henry Baynton.

The Reverend HENRY BAYNTON of Wolverton, in the county of Somerſet, clerk, aged thirty-four years and upwards, a witneſs produced and ſworn.

To the tenth poſition or article of the ſaid libel, this deponent ſaith, that he is the brother of Andrew Bayntun, Eſq; the producent in this cauſe, and thereby well

knows the ſaid producent; and lady Maria Bayntun his wife; and this deponent ſaith that his ſaid brother, and lady Bayntun his wife, reſiding at Bromham, in the county of Wilts, this deponent, on or about the 5th day of September now laſt paſt, went on horſeback to pay them a viſit there, and arriving there about two o'clock in the afternoon, the deponent got off his horſe, and went immediately into the drawing room, and on his ſuddenly opening the door, he the deponent there ſaw the ſaid lady Maria Bayntun, ſitting in the lap of John Allen Cooper, Eſq; who is this deponent's nephew; that on ſeeing the deponent, lady Baynton immediately aroſe in confuſion, and ſeated herſelf in a chair; and this deponent ſaith, in about ten days afterwards this deponent again went to pay his brother, the producent, another viſit, but not finding him at home, this deponent went and dined with another gentleman in the neighbourhood, and returned to his ſaid brother's in the afternoon; and this deponent ſaith, that

on

on ſuch his return, he walked up a lawn leading to his ſaid brother's houſe; and as the deponent approached the houſe, the ſaſhes of the dining parlour being open, the deponent hearing a noiſe, looked in, and then and there ſaw the ſaid lady Maria Bayntun, and John Allen Cooper, romping together alone, and kiſſing each other; and further to this article he cannot depoſe.

To the ſeventeenth, eighteenth, and twenty-firſt articles of the ſaid libel, this deponent ſaith, that the producent having been in London, attending his duty as member of parliament; and this deponent being alſo in town, they ſet off together for Bromham, and arrived there on Sunday night, the 9th of December laſt; that the very next morning the articulate Edward Baldwyn, the producent's huntſman, told the deponent, he could ſhew him ſome game near at hand, and induced the deponent thereby to go with him into the fields, where he the ſaid

Edward Baldwyn told the deponent he could not ſhew him any game, but that he wanted to inform him of a matter reſpecting his brother (meaning the producent) and he the ſaid Edward Baldwyn then proceeded to tell the deponent, that Mr. Cooper, meaning the ſaid John Allen Cooper, had been ſeen by him in the abſence of the producent, coming out of lady Maria Bayntun's bed-chamber, and that he had been with her all night; that he the ſaid Edward Baldwyn had been to Sir Edward Bayntun the father of the producent and deponent, and had informed him thereof, and that he had directed him to acquaint the deponent, and deſired him to ſpeak it to the producent in ſuch a manner as he ſhould think beſt; and this deponent, that on receiving this information, he immediately returned home to his ſaid brother's houſe, and calling him out into the garden, and after telling him that he had ſomething of importance to communicate, recited to him the information he had ſo received; that the

pro-

producent was greatly agitated thereat, and although the deponent told him what he himſelf had ſeen, and that he truſted he ſhould be able to give him, the producent, occular demonſtration of lady Maria's infidelity, if he would but be patient; yet he, the ſaid producent, ſaid he was determined to go and tax her with it directly; and accordingly left the deponent, without ſuffering him to follow him; and this deponent ſaith, that he the deponent, having ſtaid in the garden about an hour, went into the parlour, and there found the producent walking up and down the room violently agitated; and the ſaid lady Maria Bayntun, Mr. Cooper, Mr. Johnſon who had married a ſiſter of Mr. Cooper's, and the reverend John Bayntun, the deponent's brother; that the producent ſpeaking to all the gentlemen preſent, deſired them all to declare what they had ever ſeen in lady Maria's conduct, which appeared criminal or improper; and the deponent thereupon related what he had ſeen, as predepoſed to,

which

which the ſaid lady Bayntun then denied; that the ſervants coming in, and informing the family that dinner was ready, the converſation ceaſed thereby, and nothing on the ſubject was ſaid during dinner, on account of the ſervants waiting; but this deponent ſaith, that as ſoon as the things were removed, and the ſervants withdrawn, he the producent, addreſſing himſelf to the ſaid lady Maria Bayntun, told her, that as the proofs he had been furniſhed with, were too ſtrong to admit of a doubt on the ſubject, he hoped ſhe would not add to her guilt, by a denial thereof, or to that effect; and the ſaid producent then repeating what he had heard, ſhe the ſaid lady Maria Bayntun confeſſed that ſhe had been criminally connected with the ſaid John Allen Cooper, and that he had ſlept with her often; that the producent then enquired of her, if the child ſhe was then big with, was his or Mr. Cooper's; whereto ſhe anſwered, that it was Mr. Cooper's; that the producent then told the ſaid lady Bayntun,

that

that he had lived many happy years with her, but as all hopes of a continuance thereof was then to ceaſe for ever, he thought ſhe ought to return him his wedding ring; and holding out his left hand, deſired ſhe would put it upon the little finger thereof, and that ſhe might be aſſured it would go with him to his grave; and ſhe the ſaid lady Maria Bayntun thereupon voluntarily, without ſaying any thing, took her wedding ring from off her own finger, and put it on the little finger of the producent; that his, the producent's agitation, appeared then and thereby to be increaſed; and after ſome further converſation, the particulars whereof this deponent cannot now ſet forth, he the ~~deponent~~ producent quitted his own houſe, and ſet off with this deponent's other brother, John Bayntun, for Spye Park, leaving the ſaid lady Maria Bayntun, his wife; and with whom he, the deponent, is certain the ſaid producent hath not ſince had any converſe or communication; and this deponent ſaith, that, in about an hour afterwards, this

this deponent received a note, written by his father; but in tenor, as from the producent, directing the deponent to require the ſaid John Allen Cooper to quit the ſaid producent's houſe, which this deponent accordingly communicated to the ſaid Mr. Cooper; and ſaw him leave the ſame, and go to the Greyhound, a public-houſe, at Bromham; to which houſe lady Maria directed a pair of clean ſheets to be carried from the producent's houſe, for him, the ſaid Mr. Cooper; and this deponent further ſaith, that he hath, ſeveral times, ſeen the ſaid lady Maria Bayntun write, and ſubſcribe her name, and thereby came to know, and be well acquainted with her manner and character of hand writing and ſubſcription; and the paper writing, or exhibit, marked with the letter B, and pleaded and exhibited in the ſaid twentieth article of the ſaid libel, as and for an original letter written, and ſent by the ſaid lady Maria Bayntun to the producent, being now produced, and ſhewed to the witneſs, he ſaith, that he doth verily, and in his con-

conſcience believe, the ſaid letter, and the whole ſeries and contents thereof, and the ſubſcription "M. Bayntun" thereto, and the ſuperſcription, "Andrew Bayntun, Eſq;" on the cover annexed, to be of the proper hand writing of her, the ſaid lady Maria Bayntun; and that Andrew Bayntun, Eſq; to whom the ſaid letter ſo appears to be addreſſed, and lady Maria Bayntun, who wrote the ſame, and Andrew Bayntun, Eſq; and lady Maria Bayntun, parties in this cauſe, were and are the ſame perſons, and not divers; and further he cannot depoſe.

HENRY BAYNTUN.

The Depoſition of John Evans.

JOHN EVANS, of the City of Bath, in the county of Somerſet, aged fifty-two years and upwards, a witneſs produced and ſworn.

To the twenty-ſecond article of the ſaid libel, this deponent ſaith, that he lives as waiter, at the Caſtle Inn and Tavern, in the city of Bath, and hath ſo done for upwards of four years and an half laſt paſt; and this deponent thereby came to know, and be acquainted with the articulate John Allen Cooper, Eſq; who had a houſe at Cumberwell, about ſeven or eight miles from Bath, and uſed the ſaid Caſtle Inn when he came to Bath; and this deponent ſaith, that, on the 3d of January now laſt paſt, he, the ſaid Mr. Cooper, came to the ſaid inn,

inn, accompanied by a lady, in a phæton; and with which lady he had been at the ſaid inn about ten or twelve days before; and this deponent, having enquired of the ſervant who attended them, underſtood, and believes that the ſaid lady was lady Maria Bayntun, party in this cauſe; and this deponent ſaith, that the ſaid Mr. Cooper, and the ſaid lady ſo with him, dined, ſupped, and ſlept at the ſaid inn; that this deponent waited on them at dinner and ſupper; and underſtood, and verily believes, that they ſlept in one and the ſame bed together; that the circumſtance of lady Maria Bayntun having left her huſband, and gone to live with the ſaid Mr. Cooper, being of public notoriety, and the ſubject of much converſation at Bath, he, this deponent, by the directions of his maſter, the next morning, requeſted the ſaid Mr. Cooper, in future, not to make uſe of that houſe; and further he cannot depoſe, ſave that they, the ſaid Mr. Cooper and lady

Bayntun, having breakfaſted, left the ſaid houſe the next morning about eleven o'clock.

JOHN EVANS.

The Depoſition of Edward Baldwyn.

EDWARD BALDWYN of the pariſh of Box, in the county of Wilts, miller, aged fifty years and upwards, a witneſs produced and ſworn.

To the ſixth article of the ſaid libel, this deponent ſaith, that he firſt came to know, and be acquainted with Andrew Bayntun, and Lady Maria Bayntun his wife, parties in this cauſe, by going to live with the ſaid Andrew Bayntun as his huntſman, at Bromham in the county of Wilts, in the month of March, 1781; that

that this deponent continued in ſuch, the ſervice of the producent, till within this laſt month; and this deponent ſaith, that when firſt he ſo went into the ſervice of the producent, and until the month of December following, they the ſaid Andrew Bayntun, Eſq; and lady Maria Bayntun his wife, lived and cohabited together as lawful huſband and wife; and he the ſaid producent appeared to this deponent always to treat and behave towards his ſaid wife with the greateſt affection and tenderneſs; and he the ſaid producent always appeared to this deponent to be, and was, as he verily believes, a perſon of a ſober and chaſte life and converſation; and further to this article he cannot depoſe.

To the eighth and ninth articles of the ſaid libel, this deponent ſaith, that when firſt this deponent went to live in the ſervice of the producent, as by him predepoſed to, the articulate John Allen Cooper, Eſq; lodged at a houſe in Sandy lane, about

about a mile and a half from Bromham; and he the ſaid Mr. Cooper, then viſited in the producent's family, and in about a month or ſix weeks afterwards, he the ſaid Mr. Cooper removed to a public-houſe in Bromham, called the Greyhound, and continued there about two months, during which time, he alſo viſited in the producent's family, and he, the ſaid Mr. Cooper, then (by the invitation as the deponent believes) came to reſide at the producent's, and was from that time backwards and forwards, either at the producent's or his own houſe at Cumberwell, until the tenth of December following; and this deponent ſaith, that after the ſaid Mr. Cooper came to reſide in the family of the producent's, it became a ſubject of converſation among the ſervants in the kitchen, that the ſaid Mr. Cooper and lady Maria Bayntun, were too familiar together; and this deponent was, on account of ſuch converſation induced to watch them, and hath known them to be in the neceſſary houſe at the ſame time,

and

and once (ſince laſt Michaelmas) ſaw them come out of the ſaid neceſſary at the ſame time, ſuch neceſſary being only one room; and on a day, happening in the month of November laſt, this deponent walking up a walk from the garden, and looking towards the parlour, ſaw the ſaid lady Bayntun and Mr. Cooper ſtanding by the window, kiſſing each other; and he, the ſaid Mr. Cooper, then had his hand in lady Maria's boſom; but further to theſe articles he cannot depoſe.

To the thirteenth, ſixteenth, and ſeventeenth articles of the ſaid libel, this deponent ſaith, that the ſaid producent, Andrew Bayntun, Eſq; went to London ſome time about the latter end of November laſt, leaving the ſaid lady Maria Bayntun, his wife; and returned to Bromham in about a fortnight, and ſtaid there a very few days; and then went again to London on Friday, the 7th of December laſt, and returned on the Sunday night following; that, on the Friday when the producent went

went to London, as by him laſt depoſed to, Mr. Cooper was not at Bromham; but he, the ſaid Mr. Cooper, came to Bromham on the next day (being Saturday) to breakfaſt; and this deponent ſaith, that his fellow witneſſes, James Thring and Martha Jones, communicated to this deponent, ſuch things as convinced him there was a criminal intercourſe ſubſiſting between the ſaid Mr. Cooper and lady Maria; and more particularly that he, the ſaid Mr. Cooper, had been ſeen coming out of lady Bayntun's bed chamber, in a morning, in his night-gown; this deponent, on the Saturday afternoon, took his horſe, and went to Spye Park, to Sir Edward Bayntun, the producent's father; and having mentioned what he had heard to the ſaid Sir Edward Bayntun, and his ſuſpicions, that the ſaid Mr. Cooper and lady Bayntun would ſleep together that night, he this deponent aſked the ſaid Sir Edward Bayntun if he might break the chamber-door open, in caſe they were together; that the ſaid Sir Edward Bayntun directed this deponent to watch

watch them, but would not give him any orders to break open the door; and this deponent further ſaith, that he thereupon returned to the producent's houſe at Bromham aforeſaid; and a little after twelve o'clock at night, they, the ſaid Mr. Cooper, and lady Maria Bayntun, being retired to their reſpective chambers, he, the deponent being hid in the nurſery, which is near adjoining to the bed-rooms of the ſaid Mr. Cooper, and lady Bayntun's; and the ſaid Martha Jones being alſo then in the ſaid nurſery, and James Thring being then below ſtairs, this deponent heard Mary Naſh, lady Bayntun's maid, come out of her room and go down ſtairs; and the deponent then preſently heard a bolt go, and then the deponent looked out of the ſaid nurſery, and ſaw lady Bayntun's chamber door open, and the deponent then heard Mr. Cooper's chamber door open, and heard a ſtep from Mr. Cooper's room to lady Bayntun's, and then heard lady Bayntun's room door ſhut again; but the deponent being compelled

to draw back into the nurſery for fear of being ſeen, could not ſee Mr. Cooper, but this deponent was then well convinced he, the ſaid Mr. Cooper, had quitted his own room, and was gone into the bed-chamber of the ſaid lady Maria Bayntun; and this deponent ſaith, that being determined to watch the ſaid Mr. Cooper out of the room; he, the deponent, accompanied by his fellow witneſs James Thring, ſat up in the kitchen till about four o'clock, and then went into a paſſage which commands a view of both the chambers; and this deponent further ſaith, that at near about three quarters of an hour after five o'clock, in the morning of Sunday, the 9th of December laſt, he, the deponent, ſtanding in the paſſage as aforeſaid, ſaw the ſaid Mr. Cooper, come out of the bed-chamber of the ſaid lady Maria Bayntun, and go from there to his own chamber; and he, the ſaid Mr. Cooper, then only had on his ſhirt, night-gown, ſlippers, and night cap; and this deponent ſaith, that he, the producent,

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returning home to his houſe at Bromham aforeſaid, on the next night, between nine and ten, and this deponent having informed Sir Edward Bayntun thereof, and of what he had been witneſs to as aforeſaid, he, the ſaid Sir Edward Bayntun, directed this deponent to acquaint the Reverend Mr. H. Bayntun, the producent's brother thereof, and requeſted him to break it to the producent; that, accordingly on the Monday morning, the deponent did inform Mr. Henry Bayntun of the ſeveral circumſtances by him predepoſed to, that paſſed on the ſaid Saturday night; and he the ſaid Reverend Mr. Bayntun, having broke the ſame to the producent, the deponent was by him enquired of reſpecting the ſame, and then repeated it to him; and further he cannot depoſe.

EDWARD BALDWYN.

The

The Depoſition of the Reverend John Bayntun.

The Reverend JOHN BAYNTUN of Bromham, in the county of Wilts, clerk, aged thirty-eight years, and upwards, a witneſs produced and ſworn.

To the firſt and fifth articles of the ſaid libel, this deponent ſaith, that he is the brother of Andrew Bayntun, Eſq; the producent in this cauſe, and is thereby well acquainted as well with the ſaid producent as with lady Maria Bayntun his wife; and this deponent ſaith, that the ſaid Andrew Bayntun is the ſon and heir of Sir Edward Bayntun of Spye Park, in the county of Wilts, bart. and the ſaid lady Maria Bayntun is the daughter of the Right Honourable George William, Earl of Coventry; that they, the ſaid Andrew Bayntun and lady Maria Bayntun, were married in the month of

of June, 1777, as the deponent now beſt remembers, and, from that time, lived and cohabited together as man and wife, chiefly at the houſe of the producent, at Bromham, in the county of Wilts, until they ſeparated in December laſt; that, during ſuch their reſidence together, ſhe, the ſaid lady Bayntun, hath been delivered of two daughters, one chriſtened by the name of Mary, now alive, and the other dying very ſhortly after it was born; and further to theſe articles he cannot depoſe.

To the eighteenth article of the ſaid libel, this deponent ſaith, that he, the deponent, being upon a viſit at the houſe of the producent, at Bromham, in the county of Wilts, on Monday, the 10th of December laſt; and he, the ſaid producent, having been, that morning, informed of certain circumſtances of criminality in the conduct of the ſaid lady Maria Bayntun, his wife, he, the ſaid producent, appeared to this deponent to be, and was, as he verily believes, greatly afflicted, and his mind

mind greatly agitated thereby; and this deponent ſaith, that, ſhortly before dinner, on the ſaid day, the family then conſiſting of the producent and his ſaid wife, the articulate John Allen Cooper, a Mr. Johnſon, this deponent and his brother, the Rev. Mr. Henry Bayntun; and they being then all aſſembled in the drawing-room, he, the producent, addreſſing himſelf to all the gentlemen preſent (except Mr. Cooper) called upon them, as men of honour, to declare what they had ever ſeen improper in lady Maria's behaviour towards Mr. Cooper; that this deponent and Mr. Johnſon could not give any information thereon; but this deponent's brother, Henry Bayntun, then mentioned having ſeen lady Maria ſitting in the lap of Mr. Cooper, in September laſt; and had likewiſe once ſeen them kiſſing each other, which lady Maria then denied; and this deponent ſaith, that the ſervant coming in to give notice that dinner was ready, the converſation ceaſed; nothing on the ſubject paſſed during dinner time; that after

the

the dinner was over, and the things removed, the producent renewed the ſubject, and after informed lady Maria Bayntun, that he had the fulleſt proof of her guilt, he begged ſhe would not add thereto, by denying it; and he, the ſaid producent, then ſtating certain criminal facts which he had been informed of, ſhe the ſaid lady Maria Bayntun, acknowledged ſhe and the ſaid Mr. Cooper had lain together many nights; and then being called on by the producent, declared the child ſhe was then big with, was Mr. Cooper's; that much other converſation paſſed on the ſubject, and at length, he, the ſaid producent, addreſſing himſelf to the ſaid lady Maria Bayntun his wife, told her, that as he was now convinced ſhe had transferred her affections from him, to the ſaid John Allen Cooper, he thought ſhe ſhould return him her wedding ring, and thereupon held out his hand; and ſhe, the ſaid lady Maria Bayntun, with the greateſt compoſure, took her wedding ring from off her finger, and put it on the finger of the pro-

producent; and he, the ſaid producent, under the greateſt agitation of mind, ſhortly afterwards went away with this deponent, from Bromham to Spye-park, the ſeat of his father, Sir Edward Bayntun; ſince which, this deponent is certain, he, the ſaid Andrew Bayntun, hath not had any converſe or communication whatever with the ſaid lady Maria Bayntun his wife; and further to this article he cannot depoſe.

To the fourteenth article of the ſaid libel, and to the paper writing, marked with the letter B, in the ſaid article pleaded and exhibited, this deponent ſaith, that he hath ſeveral times ſeen the ſaid lady Maria Bayntun write and ſubſcribe her name, and thereby came to know, and be well acquainted with her manner and character of hand-writing, and ſubſcription; and the ſaid paper writing or exhibit, marked B, as aforeſaid, and pleaded as an original letter, written and ſent by the ſaid lady Maria Bayntun to the producent, being now ſhewn to the witneſs, he ſaith, that he

he doth verily and in his conſcience believe the whole ſeries and contents of the ſaid letter, and the ſubſcription "M. Bayntun" thereto, and the ſuperſcription "Andrew Bayntun, Eſq;" on the cover annexed, to be of the proper hand-writing of the ſaid lady Maria Baynton; and further he cannot depoſe.

JOHN BAYNTUN.

The Depoſition of Ann Baily.

ANN BAILY, of Bromham, in the county of Wilts, ſpinſter, aged twenty-years and upwards, a witneſs produced and ſworn.

To the ninth article of the ſaid libel, this deponent ſaith, that ſhe hath lived in the capacity of houſe-maid, in the family of Andrew Bayntun, Eſq; the

producent, at Bromham, in the county of Wilts, from about nine days after Michaelmas day laſt paſt, and thereby came well to know the ſaid Andrew Bayntun, Eſq; and lady Maria Bayntun, his wife, and alſo the articulate John Allen Cooper; that he, the ſaid John Allen Cooper, reſided at the producent's when firſt this deponent ſo went to live there; and it was much talked of amongſt the ſervants, in the kitchen, that the ſaid Mr. Cooper and lady Bayntun were great together; that, ſhortly after the deponent had ſo lived in the family, ſhe hath, ſeveral times, ſeen the ſaid Mr. Cooper and lady Bayntun come out of the neceſſary-houſe at different doors; but ſo near at the ſame time, that the deponent was convinced they had been there together; and further to this article ſhe cannot depoſe.

To the fifteenth and ſixteenth articles of the ſaid libel, this deponent ſaith, that, on the morning of Saturday, the 1ſt of December laſt, about ſeven o'clock, being about

about half an hour ſooner than uſual, this deponent went into the bed-room of the ſaid Mr. Cooper to light his fire; this deponent looking towards the bed, and not perceiving any body therein, and ſuſpecting ſomething, from the converſation ſhe had heard in the kitchen, ſhe, the deponent, went to the foot of the bed, and the curtain being open, the deponent looked in, and ſaith, that the ſaid Mr. Cooper was not then in his ſaid bed, that the ſaid bed was only a little tumbled, and did appear to the deponent not to have been lain in but a very ſhort time that night; and this deponent ſaith, that the ſame morning this deponent went to make the bed wherein lady Maria Bayntun had ſlept, and the ſaid bed appeared much tumbled; and there were marks or ſtains on the ſheets, whereby this deponent was induced to believe that a man and woman had been connected together therein.

The mark of
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ANN BAILEY.

SENTENCE.

Upon hearing the depoſitions of the witneſſes, in this cauſe, a definitive ſentence or decree was promulged to the following effect, viz. That Lady Maria Bayntun, after the ſolemnization and conſummation of her marriage with Andrew Bayntun, Eſq; being altogether unmindful of her conjugal vow, &c. did commit the crime of Adultery with John Allen Cooper, Eſquire, and did thereby violate her conjugal duty, &c. It is therefore pronounced and decreed, that Andrew Bayntun, Eſq; ſhall be divorced, &c. from bed, board, and mutual cohabitation with his wife, by reaſon of adultery by her committed, &c.

Letter

Letter from Lady Maria Bayntun, to her Huſband, Andrew Bayntun, Eſq;

"TO dare to addreſs you, my now as much as ever adored Bayntun, is, you and Sir Edward will ſay, an impertinence beyond all deſcription; but what I take the liberty of telling you, are the real ſentiments of my heart: no woman ever endeavoured to check that moſt unfortunate paſſion for your nephew, more than I did. God only knows the truth of what I ſay; conſtant opportunities of ſeeing him have I had for theſe laſt ten months: would to Heaven I had been in Bromham church, among the dead, rather than have lived to be the vileſt of all characters, in having made ſo infamous a return for all your unremitted love and conſtancy to me. I am not, Bayntun! ſo far gone in vice as to glory in it. I hate and deteſt myſelf; and though you may be kind enough ſtill to be unhappy about me, I declare to God there

is

is no character or being on earth I would prefer being to yourſelf. Your nobleneſs in deſiring him to behave well to me, has recalled (but now it is, I fear, too late) every emotion of love for you, as ſtrong in my heart as ever. How often have I mourned over my naked wedding finger; I thought my deſpair would have led me to take a medicine I had in my drawer, laſt night, upon thinking of your not coming to bed; and finding you had for ever left me. I can have no view in troubling you with this account of my pitiable caſe; but to tell you, that if you could do what I never can expect, forgive an unpardonable crime, and come to my wicked arms, though now thoroughly repentant; no power on earth, or even an angel dropt from heaven, ſhould ever lead me from the paths of virtue, which I have ever loved; though madneſs and the devil hurried me away from it. Perhaps you will ſay, that the love of deceiving mankind is my motive for writing this; and that I am now wronging Mr. C——— No, my lovely angel! I cannot help having a glim-

a glimmering of hope, that you may yet be mine again: my brain is very near turned. I know I ſhall have moſt bitter enemies in your father and mother: it is their duty to deſire you to forſake a falſe woman, which I have been: but hell could not produce a devil, that would be wicked enough to again deceive ſo angelic a creature as you would be, was you to forgive one who, at this moment, loves and adores you as much as ſhe did till ſhe ſaw C——.

"Yours, truly afflicted,

"M. BAYNTUN."

"I ſhall ſend my maid, as I cannot truſt any body."

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